

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

JUN -7 PM 21

PHILIP K. PARTON,  Plaintiff,  v.  QUALITY ASSET RECOVERY, LLC,  Defendant.	CASE NO.  1 : 10-cv- 0697 RLY-TAB
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**COMPLAINT**

**I. INTRODUCTION**

1. This is an action for actual and statutory, costs of the action and a reasonable attorney's fee brought by Philip K. Parton for violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., by Defendant.

**II. JURISDICTION**

2. Jurisdiction of this court arises under 15 U.S.C. § 1692k(d), 28 U.S.C. §§ 1331 and 1337.

**III. PLAINTIFF**

3. Plaintiff Philip K. Parton is a natural person residing in Hamilton County, Indiana.

**IV. DEFENDANT**

4. Defendant Quality Asset Recovery, LLC (hereinafter "QAR") is a for-profit foreign limited liability company with its principal place of business in Buffalo, New York.
5. At all times referenced herein, QAR was operating as a debt collector in the State of Indiana as defined by 15 U.S.C. § 1692a(6).

**V. STATEMENT OF FACTS**

6. QAR contacted Plaintiff in the course of collecting a debt that arose from a Washington Mutual Credit Card.
7. On January 22, 2010, Plaintiff reached an agreement with QAR to settle the debt in full for \$2750.
8. Plaintiff paid \$2750 to QAR on January 22, 2010.
9. Thereafter, QAR collectors have contacted Plaintiff by telephone on multiple occasions attempting to collect the same debt.

## **VI. CLAIMS FOR RELIEF**

### **A. Fair Debt Collection Practices Act**

10. Plaintiff repeats, re-alleges and incorporates by reference paragraphs one through nine above.
11. QAR violated the Fair Debt Collection Practices Act. These violations include, but are not limited to:
  - a. Attempting to collect a debt that Plaintiff does not owe, in violation of 15 U.S.C. § 1692d;
  - b. Falsely representing the amount and legal status of a debt, in violation of 15 U.S.C. § 1692e.
12. As a result of these violations of the Fair Debt Collection Practices Act, Defendant is liable to Plaintiff for his actual damages, statutory damages, costs, attorney fees and all other appropriate relief.

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment in his favor and against Defendant in an amount that will compensate him for his actual damages, statutory damages, costs, attorney fees and all other appropriate relief.

Respectfully submitted,



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